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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,858	08/09/2006	Junya Kaku	060535	2026
23850 7590 10/15/2010 KRATZ, QUINTOS & HANSON, LLP 1420 K Street, N.W. 4th Floor WASHINGTON, DC 20005				
EXAMINER TORRENTE, RICHARD T				
ART UNIT 2482		PAPER NUMBER		
MAIL DATE 10/15/2010		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/588,858

**Applicant(s)**

KAKU, JUNYA

**Examiner**

RICHARD TORRENTE

**Art Unit**

2482

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 January 2010.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-18 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 09 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/GS/US)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because legal phraseology "plurality" is used. Correction is required. See MPEP § 608.01(b).

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Image File Access Apparatus with Moving Image and Index Information.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated Ohnishi (US 2002/0197067).

Regarding claim 1, Ohnishi discloses a file access apparatus (see abstract; see fig. 1) for making access to an image file (see fig. 3; e.g. see fig. 5) in which image data on a plurality of screens (e.g. see fig. 5) forming a moving image (see 301 in fig. 3) and index information (see 400 in fig. 5; see fig. 3) used for managing said image data on the plurality of screens are contained, under control of a CPU (see 113 and 117 in fig. 1) executing a plurality of tasks in parallel based on a multi-task OS (see fig. 5; see ¶ [0045]), wherein said plurality of tasks include: a first instruction issue task of issuing a first readout instruction (see 403-415 in fig. 5) for reading out said index information from said image file; a second instruction issue task of issuing a second readout instruction (see second readout 501 and 503 from 409 in fig. 5) for reading out the image data from said image file with reference to the index information read out in accordance with said first readout instruction; and an access task (see 113 and 117 in fig. 1; see fig. 7A and 7B) of making access to said image file in accordance with each of the first readout instruction issued by said first instruction issue task and the second readout instruction issued by said second instruction issue task.

Regarding claim 2, Ohnishi further discloses wherein said access task includes an access suspension process for suspending the access in accordance with said first readout instruction until after completion of the access in accordance with the issued

second readout instruction (see “yes” in S702 in fig. 7A), and said second instruction issue task includes an issue suspension process (see “no” in S713 in fig. 7B) for suspending issue of said second readout instruction when the index information to be referred to is not yet read out.

Regarding claims 3 and 16, Ohnishi further discloses wherein said first instruction issue task allows an issue process of said first readout instruction to be started prior to issue of said second readout instruction by said second instruction issue task (see fig. 7A prior to fig. 7B).

Regarding claims 4, 17 and 18, Ohnishi further discloses wherein said first instruction issue task allows issue of said first readout instruction to be started when accepting a selection operation for selecting said image file (see selected 409 in fig. 5), and said second instruction issue task allows issue of said second readout instruction to be started when accepting a start operation (e.g. see 501 in fig. 5) for starting readout of said image data.

Regarding claim 5, Ohnishi further discloses wherein said start operation is carried out after said selection operation (e.g. see 501 is selected in fig. 5).

Regarding claims 6 and 8-11, Ohnishi further discloses wherein said index information is prepared for each screen (see fig. 5).

Regarding claims 7 and 12-15, Ohnishi further discloses comprising a display means (see 107 in fig. 1) for displaying an image based on the image data read out in accordance with said second readout instruction.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD TORRENTE whose telephone number is (571) 270-3702. The examiner can normally be reached on M-F: 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Young Lee/  
Primary Examiner, Art Unit 2482

/Richard Torrente/  
Examiner, Art Unit 2482